

# Exhibit 4



## Department of Homeless Services

### NYC Department of Homeless Services Incident Report

Priority Code: 3

Time: 01:51 PM

Facility Class: Shelter

Date: 05/24/2017

Facility Name: Marsha's House

Facility Type: Adult Shelter

Day of Week: Wednesday

Facility Code: X185

Primary Type: On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations

Secondary Types: On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations

PERSONS INVOLVED: O=Other S=Staff C=Client V=Victim W=Witness Ob=Observer P=Perpetrator O=Other

O-S-C	V-W-Ob-P-O	Last Name	First Name	Sex	CARESID	SSN	Age	DOB
C	O	LOPEZ	MARIAH	Female			32	
C	O			Female			24	
S	W	Ablack	Deshaun					
S	W	Hunter	Vohn					

#### BRIEF DESCRIPTION OF INCIDENT: (Who, what, where, when) Attach additional sheet if necessary

Created by: Kaedon Grinnell

05/24/2017 05:06 PM

At 1:55pm, client Mariah Lopez was engaged in verbal altercation with client [REDACTED] and 2 unidentified males directly outside of Marsha's House. During the verbal altercation QPS Guard Ablack intervened and placed himself between Mariah Lopez and the unidentified males. Shortly after, Mariah Lopez reenters the facility as one of the unidentified males walks towards the entrance continuing to engage the client. The client exits the facility and reengages the unidentified male in a verbal dispute. At this time Housing Coordinator Vohn Hunter provided assistance and placed himself between Mariah Lopez and the unidentified individuals. At 1:57pm, Mariah Lopez is seen maneuvering around Vohn Hunter and striking one of the unidentified males in the right side of his face. Ongoing verbal altercations ensued and the client came back into the facility shortly after.



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Please see below for the detailed account from Vohn Hunter who witnessed the altercation:

"As I approached Marsha's House, I witnessed client [REDACTED] walking up hill with 3 people I could not identify as clients. I was parking when they went into the building heading towards access. Mariah Lopez went into the building for an undisclosed reason and returned to the vehicle stating she needed to be involved because [REDACTED] has beef with my daughter, [REDACTED]. I was parking the car to help unload Mariah Lopez's belongings. [REDACTED] grabbed one of her bags and entered the facility. As we were unloading the van, Mariah approached [REDACTED] asking her to talk about what was going on. [REDACTED] responded with, "Shut the fuck up, I don't want to talk to you. Mind your fucking business." To which Mariah responded, "I'll call the cops," threatening to sue the client. An unidentified person instigated the gentleman engaging in an argument with QPS, mis-gendering Mariah suggesting that the gentleman should hit Mariah because she is a man. Mariah defended herself stating that she was not a man, and started threatening the unidentified people saying she would "fuck them up" and get them jumped. I jumped between the client and the gentleman as they continued arguing and Mariah reached around with her left arm and struck the gentleman in his face with her left fist. Mariah said, "And I got you with the left, that's what I do!". The situation was diffused with the help of QPS, and myself. The unidentified people continued arguing with Mariah and exchanging threats. Mariah went inside the building and I left the facility."

NYPD was contacted immediately (at 2pm) but did not arrive on site until approximately 3:00PM.

### IMMEDIATE ACTION TAKEN: (By on-site staff responding to the incident)

NYPD was contacted.

### RESIDENT STATEMENT ATTACHED, WHEN APPLICABLE. (See Part 491.7(d)(15))

- ☐ Resident statement attached.
- ☐ Resident refused but offered.
- ☐ Resident unable to provide statement due to medical or related emergency reason.
- ☐ Other \_\_\_\_\_

Report Prepared By/Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Report Reviewed By/Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

☐ Security/Peace Officer Report Attached

**REVIEW/RECOMMENDATION: To be completed by DHS Staff**



## Department of Homeless Services

### INDICATORS: *To Be Completed by DHS Staff*

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of DHS Program Analyst

### DISPOSITION/FINAL ACTION TAKEN: *To be completed by DHS Program Administrator*

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of DHS Program Administrator

### DATE REPORT RETURNED TO FACILITY (CLIENT SUSPENSIONS ONLY): \_\_\_\_\_

**Priority One Incidents** are the most serious and urgent. Priority One incidents include:

- Homicide, suicide, or death on site attempted homicide, attempted suicide, assault resulting in life-threatening injury, or accident resulting in life-threatening injury (including drug overdose) Use of a firearm Rape, attempted rape, or sexual assault Arrest for alleged child abuse or emergency transport of child for medical treatment due to suspected child abuse Fire, disaster, or other environmental concern that involves a life-threatening injury or the evacuation of an entire site as directed by emergency personnel or FDNY response Riot, bomb threat, hostage taking/abduction, or missing children Unscheduled on-site presence of the press or elected official Assault or threatening behavior that results in life-threatening injury or accident resulting in life-threatening injury (including overdoses) Arrest of DHS staff on site Heating, water, electrical failure, or other environmental issue (i.e. asbestos, lead, radon), that is expected to last more than 4 hours Domestic violence that results in the victim pressing charges, arrest of the assailant and/or the relocation of the victim

**Priority Two Incidents** include problems that are not immediately life-threatening or dangerous, but still must be reported promptly, so that agency administrators are informed of the incident and can resolve the matter within appropriate time frames

- Physical fights that do not result in arrest
- Allegations of: rape, attempted rape or sexual assault that do not result in arrest
- Arrest of a client, staff, or visitor for criminal activity occurring in the facility, including harassment, intimidation or victimization (i.e. stealing, extortion, loan sharking)
- Incidents that occur off shelter premises (including client deaths) and/or involve persons known to be current shelter clients and that would otherwise be classified as Priority One
- Child abuse that is reported and results in the removal of children by ACS, but no arrests are made
- Theft or vandalism of property valued at \$1500 or more
- Intentional fire setting or damage to facility equipment by a client
- Possession, use, or sale of drugs or alcohol on premises resulting in suspension of a client
- Possession of a firearm



## Department of Homeless Services

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**Priority Three Incidents** include unusual occurrences that need to be recorded and reviewed for possible corrective action:

- On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations
- Off-site incidents involving clients and/or staff that affect community quality of life, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations
- Removal, via EMS, of any client for any reason other than a Priority One or Priority Two event

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**Special Cases:**

- If NYPD, FDNY or EMS has been called, and is not responding within a reasonable time, immediate notification must be made to at least the Assistant Commissioner for guidance and assistance
- In confirmed or suspected cases of contagious disease (i.e. chickenpox, Hepatitis A, tuberculosis, measles, meningitis), the Assistant Commissioner should alert the Agency Medical Director immediately

Case Notes: MARIAH LOPEZ - [REDACTED]

Case Notes: MARIAH LOPEZ - [REDACTED]	
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<b>Notes History</b>	
<p>On: 05/24/2017 03:10 PM            Created By: Kelle Rivera            DATA:</p> <p>In the afternoon on 5/24/17 client requested to speak with Director of Social Services. DSS asked if client's case manager was available; front desk staff informed DSS assigned case manager was not. DSS agreed to meet with client. Client came upstairs and asked if DSS was doing an administrative transfer due to a fight that had occurred outside approximately 20 minutes ago. DSS inquired with client as to what happened; client stated to DSS "You don't know what just happened outside your shelter?"; DSS asked client to please inform her of what occurred. Client asked for name of another client whom she alleges brought people--"two crackheads"-- to Marsha's House to "fight t*annies" and that she was "just attacked outside." DSS again asked client to relay incident; client sat down in office and began to relay incident. When DSS asked client to clarify if outside individuals were brought inside shelter or not client stated they were stopped by DHSPD. DSS asked client if they were stopped inside or outside facility; client became aggressive and hostile and began to yell at DSS "It doesn't f*cking matter where they were stopped", continued to scream at DSS and bang on desk, stating "No police are going to come to your rescue here." DSS informed client that she was right there and listening, and was getting attempting to get clarification on situation. Client continued to ask for name of other client and demanded that an administrative transfer occur immediately due to client allegedly "bringing crackheads to shelter to fight t*annie"; DSS disengaged from client's question and stated "Let me finish doing what I am doing", where she was cut off by client who continued to escalate verbally and demanded DSS begin working on administrative transfer for other client immediately. DSS did not engage with client, to which client stated "I guess it's OK for anyone to come in here, right? Like your trans boyfriend who comes in here everyday, which is inappropriate. Yes, I know he's trans." DSS did not engage with client regarding statement. Client stated "We're not going to do this", picked up phone of DSS and called central office asking for Executive Director Stephanie Cowles and informed individual on other line "And don't send me to voicemail or things are going to get really ugly here." Client was unable to get in contact with ED. Client then called individual she identifies as her mother who she reports is also a lawyer. Client was on phone with individual in DSS office requesting individual come to facility to speak with 'Interim Program Director', to which DSS slid card towards client clarifying role at shelter. Client went on to discuss incident with person on phone and gave them DSS contact information. During conversation client stated to DSS "you won't have this title for long". Client ended conversation with individual on other line, informed DSS "this is what happens when people don't feel safe" and left office.</p> <p><b>ASSESSMENT:</b>            Client appeared distressed, frustrated, and escalated to hostility and aggression when requests were neither granted nor denied. Client continues to exhibit inappropriate reactions to situations in which her needs are not immediately met.</p> <p><b>PLAN:</b>            DSS to inform supervisors of meeting.</p>	
<a href="#">Close</a>	



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### NYC Department of Homeless Services Incident Report

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Time: 04:30 PM  
Facility Class: Shelter

Date: 05/24/2017  
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Facility Type: Adult Shelter

Day of Week: Wednesday  
Facility Code: X185  
Primary Type: On-site incidents that are not classified as Priority One or Priority Two, but occur in the shelter involving clients, staff, visitors or property, including: thefts, physical fights, personal injury, minor property damage, and/or evacuations

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**PERSONS INVOLVED:** O=Other S=Staff C=Client V=Victim W=Witness Ob=Observer P=Perpetrator O=Other

O-S-C	V-W-Ob-P-O	Last Name	First Name	Sex	CARESID	SSN	Age	DOB
C	P	LOPEZ	MARIAH	Female			32	
S	V	Ablack	Deshawn					
O	O	Officer	DHS					

**BRIEF DESCRIPTION OF INCIDENT:** (Who, what, where, when) Attach additional sheet if necessary

Created by: Kaedon Grinnell  
05/24/2017 07:09 PM

On 5/24/17 at approximately 4:30 PM, client Mariah Lopez began yelling and cursing at Guard Deshawn Ablack. Client Lopez stated that she wanted a certain QPS Guard removed immediately to which Mr. Ablack stated that no personnel changes could take place immediately. Guard Ablack reports that the client continued to scream and curse at him eventually moving face to face with him while screaming at him. At this time, DHS Officer DiSalvo placed herself between the client and Guard Ablack. Client Mariah Lopez reportedly maneuvered around DHS Officer DiSalvo and struck Guard Ablack with her right hand on the left side of his chest.

Guard Ablack contacted NYPD shortly after and they arrived at the facility at 5pm. Client Mariah Lopez was arrested at 5:15pm.



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Homeless Services**

**IMMEDIATE ACTION TAKEN: (By on-site staff responding to the incident)**

NYPD was contacted. Client was arrested.

**RESIDENT STATEMENT ATTACHED, WHEN APPLICABLE. (See Part 491.7(d)(15))**

- ☐ Resident statement attached.  
☐ Resident refused but offered.  
☐ Resident unable to provide statement due to medical or related emergency reason.  
☐ Other \_\_\_\_\_

Report Prepared By/Signature: \_\_\_\_\_

Date: 5/24/17

Title: \_\_\_\_\_

R. Shetter Director

Report Reviewed By/Signature: \_\_\_\_\_

Date: 5/24/17

Title: \_\_\_\_\_

ASSISTANT DIRECTOR

☐ Security/Peace Officer Report Attached

**REVIEW/RECOMMENDATION: To be completed by DHS Staff**

**INDICATORS: To Be Completed by DHS Staff**

Date: \_\_\_\_\_

Signature of DHS Program Analyst

**DISPOSITION/FINAL ACTION TAKEN: To be completed by DHS Program Administrator**

Date: \_\_\_\_\_

Signature of DHS Program Administrator

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## Department of Homeless Services

evacuation of an entire site as directed by emergency personnel or FDNY response Riot, bomb threat, hostage taking/abduction, or missing children Unscheduled on-site presence of the press or elected official Assault or threatening behavior that results in life-threatening injury or accident resulting in life-threatening injury (including overdoses) Arrest of DHS staff on site Heating, water, electrical failure, or other environmental issue (i.e. asbestos, lead, radon), that is expected to last more than 4 hours Domestic violence that results in the victim pressing charges, arrest of the assailant and/or the relocation of the victim

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